

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:11CV372
)	
v.)	
)	
\$1,000.00 refunded to Mango)	ORDER
Creek Properties, Inc., from)	
GBS Partners, Inc., seized on)	
January 28, 2010; et al.,)	
)	
Defendants.)	
)	

This matter is before the Court on the clerk of court's discovery of unfiled documents. On Friday, January 25, 2013, the clerk of this court advised me that on January 24, 2013, a court employee discovered the following handwritten documents from Shannon Williams, dated April 16, 2012, in the desk drawer of an employee who terminated his employment with the clerk's office in September, 2012:

- 1) A letter to the clerk of court dated April 11, 2012;
- 2) A motion for an extension to file an appeal;
- 3) A notice of appeal; and
- 4) A motion to proceed *in forma pauperis*.

The Court reviewed the documents and will order the clerk's office to file them as of April 16, 2012. The Court believes that Mr. Williams has raised the issues described in the notice of appeal dated April 16, 2012, in Filing Nos. [61](#) and [68](#).

This case is currently on appeal before the United States Court of Appeals for the Eighth Circuit. Thus, the Court will find the motion for an extension of time to file the appeal moot and grant Mr. Williams' motion to proceed *in forma pauperis*. The clerk of court will be directed to process the notice of appeal forthwith. Accordingly,

IT IS ORDERED:

- 1) The clerk of court is directed to file the above-referenced documents as of April 16, 2012.
- 2) Mr. Williams' motion for an extension to file an appeal is denied as moot; and his motion to proceed *in forma pauperis* is granted.
- 3) The clerk is directed to process the notice of appeal to the United States Court of Appeals for the Eighth Circuit forthwith.

DATED this 28th day of January, 2013.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court